

## INTERNATIONAL SEARCH REPORT

International application No.

PCT/AU2004/001423

A. CLASSIFICATION OF SUBJECT MATTER		
Int. Cl. <sup>7</sup> : C12N 15/48, A61K 39/21		
According to International Patent Classification (IPC) or to both national classification and IPC		
B. FIELDS SEARCHED		
Minimum documentation searched (classification system followed by classification symbols) SEE ELECTRONIC DATABASES BELOW		
Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched SEE ELECTRONIC DATABASES BELOW		
Electronic data base consulted during the international search (name of data base and, where practicable, search terms used) WPIDS, CA, MEDLINE : Keywords - fowlpox, avipox, pox, HIV, ENV, GAG, POL, cytokine, tumor necrosis factor, interferon, interleukin, vector.		
C. DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 2000/028003 A1 (THE MACFARLANE BURNET CENTRE FOR MEDICAL RESEARCH LIMITED) 18 May 2000. (See particularly p. 19 – 20, Example 2, claims 1 - 38.)	1-62.
X	KENT, S. J., et. al. (2000) A Recombinant Avipoxvirus HIV-1 Vaccine Expressing Interferon-gamma is Safe and Immunogenic in Macaques, Vaccine 18:2250-6. (See particularly Abstract and Discussion.)	1-27,47-62.
P,X	WO 2004/058278 A1 (THE GOVERNMENT OF THE UNITED STATES OF AMERICA, REPRESENTED BY THE SECRETARY, DEPARTMENT OF HEALTH AND HUMAN SERVICES) 15 July 2004. (See particularly Examples 1 and 2)	1-27,47-62.
P,X	Chemical Abstracts 141:151863 (26 August 2004) Construction and Identification of Recombinant Fowlpox Virus Coexpressing HIV-1CN gp120 and hIL-6, and, JIANG, W. et. al. Zhonghua Weishengwuxue He Mianyixue Zazhi (2003) 23(6):414-7.	1-27,47-62.
<input type="checkbox"/> Further documents are listed in the continuation of Box C <input checked="" type="checkbox"/> See patent family annex		
* Special categories of cited documents: "A" document defining the general state of the art which is not considered to be of particular relevance "E" earlier application or patent but published on or after the international filing date "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) "O" document referring to an oral disclosure, use, exhibition or other means "P" document published prior to the international filing date but later than the priority date claimed	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art "&" document member of the same patent family	
Date of the actual completion of the international search 10 December 2004		Date of mailing of the international search report 21 DEC 2004
Name and mailing address of the ISA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaustalia.gov.au Facsimile No. (02) 6285 3929		Authorized officer  ALISTAIR BESTOW Telephone No : (02) 6283 2450

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**Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)**

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☒ Claims Nos.: **47 – 62 (all partially)**  
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:  
These claims are only searched to the extent that they embody the inventive concept of the invention. That is, they have been searched as if they are being used for the methods of the invention (ie methods of treatment or prophylaxis of retroviral infections), and not to the extent that the claims are directed to vectors which are capable of being used for these methods.
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a)

**Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)**

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

**Remark on Protest**

- ☐ The additional search fees were accompanied by the applicant's protest.  
☐ No protest accompanied the payment of additional search fees.

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No.

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This Annex lists the known "A" publication level patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

Patent Document Cited in Search Report				Patent Family Member			
WO	0028003	AU	15014/00	CA	2350127	EP	1129177
		NZ	511567				
WO	0458278						
Due to data integration issues this family listing may not include 10 digit Australian applications filed since May 2001.							
END OF ANNEX							